

**OFFICE OF SELECTMEN  
6 HOLLAND STREET  
PO BOX 139  
MOULTONBOROUGH, NH 03254**

Selectmen's Meeting

October 13, 2016

**MINUTES**

Selectmen: Christopher P. Shipp, Chair, Russell C. Wakefield, Vice Chair, Josiah H. Bartlett, Jean M. Beadle, Paul T. Punturieri; Walter P. Johnson, Town Administrator; and Hope K. Kokas, Administrative Assistant.

- I. CALL TO ORDER:** Chris called the meeting to Order at 7:00 P.M.
- II. PLEDGE OF ALLEGIANCE:**
- III. REVIEW / APPROVAL MINUTES:** Hope asked to amend the minutes of October 6, 2016, page 1, Call to Order, striking Russ and inserting Chris. Chris asked to also amend the same minutes, page 2, New Business #2, to reflect that Chris voted not in favor; and on page 3, Old Business, item 3, strike, *"He asked that this be looked at and corrected, specifically about shredded paper."* Paul Made the Motion to approve the October 6, 2016 Minutes as amended and Non-Public Minutes as written. Jean Seconded. The Motion carried Unanimously.
- V. NEW BUSINESS:** Walter requested that they go out of order to allow Chief Wetherbee to speak to item #1 in Old Business. Approved by Consensus.
1. **Report on Citizen Complaint:** Chief Wetherbee told the Board that this complaint came in while he was on vacation. The Chief said that he investigated the complaint and with concerns, as he found it unsettling. The entire incident was recorded by the Police Department's in-car video, and it is his finding the complaint is unfounded. The complainant alleged that he was discriminated against by the police officer based on his disability. Chief Wetherbee stated that from viewing the video there was nothing unprofessional that occurred. He suspected that the complainant was going by memory and how he felt at the time for getting a speeding ticket. Chief Wetherbee added that he was concerned that this individual felt that way. Josh said that in the complaint it was stated that the police officer was flippant. Chief Wetherbee replied that he read the complaint and then viewed the video and stated that the sergeant was responding to the individual's complaint about receiving a ticket. The Board agreed by Consensus to accept Chief Wetherbee's report and that the complaint is unfounded. Walter will respond in writing to the complainant.
2. **Review for Action: Consent & Signature File as of October 13, 2016:**
- |          |   |             |
|----------|---|-------------|
| 10/13/16 | Land Use Change Tax                       | 279-002-001 |
| 10/13/16 | Land Use Change Tax                       | 279-002     |
| 10/13/16 | Application for Construction of Driveways | 266-006     |
- Russ Made the Motion to approve the Consent & Signature File for October 13, 2016, Paul Seconded. The Motion carried Unanimously.
2. **Review for Action: Restoration of Involuntarily Merged Lots Request, MBLU 169-021:** Chris commented that it is recommended to deny this request as there is no evidence or record of the Town involuntarily merging this parcel, and that there is no plat showing

two separate parcels. Paul Moved to deny the request to restore Map 169 Lot 021 as there is no record of the Town involuntarily merging this parcel, and there is no plat showing two separate parcels, and the property owner may go to a New Hampshire licensed surveyor to have the chain of title researched, and if in fact finds that this lot was two separate entities, the surveyor may prepare a plan of land based on the title research and record the same at the Carroll County Registry of Deeds. Jean Seconded and the Motion carried Unanimously.

3. Review for Action: Restoration of Involuntarily Merged Lots Request, MBLU 161-007: Chris reported that in the memo, it is recommended to restore this lot to the two original lots that had been known as old Map 022 Lots 84 and 85, however with a statement in regards to the 1978 mortgage deed, that describes the access to parcel #1 (former lot 84) from the thirty-three foot right-of-way of Frye Road. Paul Made the Motion to approve the application for Restoration of the Involuntarily Merged Lots from MBLU 161-007 to what had been known as old Map 022 and Lots 84 and 85, noting that the 1978 mortgage deed (CCRD 0724-0031), indicated that proposed Lot 3 was subject to a 15 foot right-of-way shown on the Frye Subdivision plan existed for a period of two years after the date of execution, or twelve months after the sale of the lot, approximately 1978-1979. Therefore the access to parcel 1, former Lot 84 shall access the lot from the thirty-three foot right-of-way of Frye Road, across what is shown as parcel "c" on the subdivision plan. In addition, there is no guarantee by this action that the now separate, vacant lot will meet permitting requirements for a septic system or other development criteria that would allow its use as a residential lot. Russ Seconded and the Motion carried Unanimously.
4. Review for Action: Restoration of Involuntarily Merged Lots Request, MBLU 174-087: Russ Made the Motion to approve the request of Restoration of the Involuntarily Merged Lots, which is now known as Map 174 Lot 87 and what had been known as old Map 029 and Lots 149 and 150, but without guarantee by this action that the now separate, vacant lot will meet permitting requirements for a septic system or other development criteria that would allow its use as a residential lot, and that an exception (NH DES) may be required from the owner should the existing dock be located closer than 20 feet to the restored interior lot line, and in fact may even be located over the restored interior lot line. Paul Seconded and the Motion carried Unanimously.
5. Review for Action: NH Liquor Commission, 268 Whittier Hwy., fka TFS Newco LLC: Chris reported that Chief Wetherbee has no concerns or issues regarding the license for a combination beverage/wine/tobacco that is being requested.
6. Review for Action: Expansion of Veteran's Tax Credit for 2017 Town Meeting Warrant: Walter reported that in Assessor Gary Karp's memo, he is informing the Board that in order for this new legislation to be voted on, it must appear on the 2017 Town Warrant. Chris read Gary's memo: "The change in the law allows the town to grant the veterans' credit to a person who served not less than 90 (*sic days*) on active duty in the armed services of the United States and was honorably discharged or an officer honorably separated from service; or the spouse or surviving spouse of such resident, provided that Title 10 training for active duty by a member of a National Guard or reserve shall be included as service under this paragraph; provided however that the person is not eligible for and is not receiving a credit under RSA 72:28 or RSA 72:35." Approved by Consensus.

## VI. OLD BUSINESS:

1. Report on Citizen Complaint: Previously addressed.
2. Town Planner Position Update: Walter informed the Board that this is one of the topics to be discussed during tonight's Non-Public Session.
3. Paul asked if it was possible to switch the date of the scheduled work session from the 27<sup>th</sup> to next week, October 20<sup>th</sup>. He was reminded of the second Public Hearing scheduled for October 20<sup>th</sup> regarding the upcoming tax deed sale. He also asked if the proposed access road could be discussed during the work session and prior to the joint School Board and Selectmen's meeting on November 7<sup>th</sup>. Walter reported that it was a topic for the work session.

**VII. OTHER BUSINESS:**

1. Board Update Reports: None.
2. Town Administrator's Report: Walter reported that construction continues on phase 1 of the Public Safety Building parking lot, which is ahead of schedule. They have found unsuitable materials in front of the apparatus bay. Josh commented that it was disappointing that during the initial construction, the Board at the time didn't listen to the concerns of citizens, and now the Town has to pay to repair it. Chris commented that the lesson learned is that it is necessary to hire a professional clerk of the works. Paul feels that they have addressed this and have been using professionals. Jean agreed, that it is time to go forward and learn from the mistakes made. Paving is scheduled to begin today for the 2016 Road Program, including portions of Redding Lane, High Haith, and possibly Marvin Road. He added that some of the roads will be pushed off until spring. Walter told the Selectmen applications have been reviewed for the openings in DPW and he has a recommendation to discuss during Non-Public Session. Next week he will be meeting with Department Heads to go over their proposed budget. Walter informed the Selectmen that the fog lines have been repainted on Moultonboro Neck Road from Shaker Jerry Road to Trexler's Marina. In the spring the fog lines will be painted from Shaker Jerry Road to at least Playground Drive. Walter reminded the Selectmen of the Convention of Committees meeting scheduled for October 24<sup>th</sup>, 5:30 pm at the Library. To date we have heard from 5 of the 6 towns invited to attend a regional Select Board meeting. The majority of towns prefer a late afternoon or evening meeting, Mondays or Tuesdays. The Board agreed to set the date for November 22<sup>nd</sup>. Walter reported that he met with Chiefs Wetherbee and Bengtson, DPW Director Chris Theriault, and Derek Patterson from the Academy to discuss options for a second emergency access/exit from the school. Chris T. will walk the site with Mr. Patterson sometime next week to determine what is most feasible and cost effective and the access to Route 25 is most preferred by Police and Fire Chiefs. Chris asked why they are not considering the path as planned with the proposed Community Center plans. Walter explained that the west side of the Taylor property is less likely to be used by pedestrians and ATV's, and is less obvious. Paul added that area was considered to be favorable by the former Town Administrator and would allow further subdivision of the Taylor property. Chief Wetherbee said from a public safety point of view they don't want the access to be attractive and then need more maintenance and up keep, and it would be used purely for public safety. He added that if an accident occurs on Blake Road they can't get to the school. Paul felt that if they did make it attractive it would be more in keeping with the village vision. As reported earlier, Walter said that the search committee met today and interviewed a candidate for Town Planner and he will report on this during the Non-Public session. Tax deeds have been executed by the Tax Collector on four properties

and notices to the former owners will be sent out in a few days advising them regarding their need to vacate. Josh asked about securing these properties and Walter replied that once the letters go out with a copy of the recorded tax deed, this will be done. Walter has spoken with the HR Director from the F&W Media, Inc. (dba Keepsake Quilting) about the work force reduction, and learned that the cutting and distribution departments are being relocated. Their administration and marketing will remain at the Moultonborough facility, which will effect 50% of their current work force. Walter reported that CG Roxane is in fact complying with the Planning Board's requirements which includes truck counts.

**VIII. CORRESPONDENCE:** None.

**IX. CITIZEN INPUT:** None.

**X. NON-PUBLIC SESSION:** Paul Made the Motion to go into Non-Public Session for (b) hiring, and to return for the sole purpose to adjourn. Josh Seconded. A roll call was taken: Josh – Aye; Paul – Aye; Jean – Aye; Russ – Aye; Chris - Aye. The Motion carried and the Selectmen went into Non-Public Session at 7:34 p.m.

The Board exited Non-Public Session at 7:55 p.m. Paul Made the Motion to seal the minutes. Josh Seconded. Josh - Aye; Paul - Aye; Russ - Aye; Jean - Aye; Chris - Aye. The Motion carried Unanimously.

**XI. ADJOURNMENT:** Russ Made the Motion to Adjourn. Jean Seconded. Motion Carried Unanimously.  
Chris adjourned the meeting at 7:56 p.m.

Russell C. Wakefield, Vice Chairman  
Approved

10/20/16 Hope K. Kokas  
Date  
Respectfully Submitted  
Hope K. Kokas, Administrative Assistant